

FILE COPY

L E A S E

THIS LEASE, made and entered into this 1st day of December, 1971, between ANACONDA ALUMINUM COMPANY, a corporation, which area office is located at Columbia Falls, Montana, hereinafter referred to as the Lessor, and FLATHEAD COUNTY REFUSE DISPOSAL DISTRICT, which office is at Kalispell, Montana, hereinafter referred to as Lessee.

Lessor, in consideration of the agreements set forth in this lease to be kept and performed by the Lessee, rents and leases to the Lessee to occupy and to use for disposal of solid waste and refuse the following described real estate located in Flathead County, Montana, and particularly described as follows:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 33, Township 31 North,  
Range 20 West.

This lease shall commence on the above date, and shall run from year to year thereafter unless written notice to terminate is given by either party to the other not less than 60 days prior to the 1st day of December of the year in which said termination is to be effected.

Lessee agrees to pay Lessor the sum of \$25.00 as and for annual rent for the above-described property.

Lessee shall save harmless and indemnify the Lessor from and against all loss, liability, or expense that may be incurred by reason of any accidents, injuries or damages sustained by any person, firm or corporation whatsoever, upon said land or otherwise as a result of the operation of said Lessee including the prior operation of disposal of refuse on other lands owned by said Lessor which operation has now been concluded.

When this lease is terminated or the refuse disposal operation by Lessee is terminated, Lessee hereby covenants to terminate and complete said refuse disposal operations in accordance with recommendations then made by the Montana State Board of Health.

Lessor agrees to pay taxes legally levied and assessed on said land.

Lessee shall have the right at the termination of this lease to remove any and all personal property and other things placed thereon, including any structures which might otherwise be considered as affixed to the realty, provided that after removal of any such property or fixtures, the land shall be repaired and restored to the condition existing prior to execution of this lease.

Lessor expressly covenants that it is lawfully seized of the said land hereby leased, and has good right and lawful authority to enter into this lease for the full term aforesaid, or any extension thereof.

This agreement is hereby made binding and obligatory upon the respective parties hereto, or any and all successors in interest, as if they were in all cases named.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 1st day of December, 1971.

ANACONDA ALUMINUM COMPANY - LESSOR

By 

Executive Vice President

Title of Officer

SOLID WASTE DISPOSAL DISTRICT - LESSEE

By 


Chairman

STATE OF Kentucky )  
County of Jefferson )

On this 19th day of January, 1972, before me, the undersigned Notary Public for the State of Kentucky, personally appeared W. H. Benton, Jr., known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year herein first above written.

(seal)

  
Notary Public for the State of Kentucky  
Residing at Louisville, Kentucky  
My commission expires August 1, 1972

STATE OF MONTANA )  
: ss.  
County of Flathead )

On this 8<sup>th</sup> day of June, 1971, before me, the under-  
signed Notary Public for the State of Montana, personally appeared  
Lawrence G. Bjorneby, Chairman of the Board of Directors, Flathead  
County Refuse Disposal District, known to me to be the person whose  
name is subscribed to the within instrument, and acknowledged to me  
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
Notarial Seal, the day and year herein first above written.

(seal)

Large Dearable  
Notary Public for the State of Montana  
Residing at Kalispell, Montana  
My commission expires \_\_\_\_\_

Notary Public for the State of Montana  
Residing at Kalispell, Montana  
My Commission expires April 22, 1974.

APPROVED AS TO FORM

By [Signature]  
Date 1-17-72

APPROVED AS TO TERMS AND CONDITIONS

By \_\_\_\_\_  
Date \_\_\_\_\_

APPROVED AS TO DESCRIPTION

By [Signature]  
Date 1/19/72